



**In the Missouri Court of Appeals  
Eastern District  
DIVISION THREE**

BEVERLY BREWER,	)	No. ED92569
	)	
Respondent,	)	
	)	Appeal from the Circuit Court
vs.	)	of the City of St. Louis
	)	08SL-CC01752
MISSOURI TITLE LOANS, INC.,	)	
	)	Honorable David L. Dowd
Appellant.	)	
	)	Filed: December 8, 2009

**OPINION SUMMARY**

Missouri Title Loans, Inc. appeals the judgment finding a class arbitration waiver contained in the loan agreement entered into by Beverly Brewer unconscionable and unenforceable.

AFFIRMED.

**Division Three holds:**

- (1) There was sufficient evidence of both procedural and substantive unconscionability to support the trial court's conclusion that the class arbitration waiver was unconscionable and unenforceable.
- (2) The trial court's conclusion was not preempted by the Federal Arbitration Act.
- (3) The class arbitration waiver improperly immunized Missouri Title Loans, Inc. from liability.

Opinion by: Glenn A. Norton, P.J.      Mary K. Hoff, J. & Lawrence E. Mooney, J., concur

Attorneys for Appellant: Martin M. Green and Jonathan F. Andres

Attorneys for Respondent: John Campbell and Erich Vieth

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.**